

REMARKS

Applicant wishes to thank the Examiner for reviewing the present application.

Claim Amendments

Claims 1 to 16 have been cancelled and new claims 17 to 39 added.

Claim 16 has been reintroduced as new claim 17 and rewritten to clarify the nature of the method being claimed. New claims 18 to 23 are dependent on new claim 17. Support for new claims 17 to 23 can be found on page 6, lines 19-32. New claims 24 to 30 are system claims that correspond substantially to the features recited in claims 17 to 23. New claim 31 is similar to the method recited in new claim 17 but from the perspective of the sender rather than the receiver.

Claim 1 has been reintroduced as new claim 32 and rewritten to specify a method of communication rather than a message structure. Each header type included in claim 1 has been identified in the method and the role of each has been clarified. New claims 33 to 39 are dependent on claim 32 and correspond to selected features that were recited in original claims 2 to 15. Support for new claims 32 to 39 can be found on page 2, line 14 to page 3, line 1 and on page 4, line 18 to page 6, line 3.

No new subject matter is believed to have been added by way of these amendments.

Specification

A new Abstract has been provided, which is believed to be acceptable according to what is disclosed and claimed in the present application. No new subject matter is believed to have been added.

A new Title has been provided, which is believed to be acceptable according to what is disclosed and claimed in the present application. No new subject matter is believed to have been added.

Claim Rejections

Claims 1 to 15 have been rejected under 35 U.S.C. 101 as being directed to non-

statutory subject matter. Claims 1 to 15 have been cancelled thus rendering these rejections moot. Applicant notes that new claims 32 to 39, which replace claims 1 to 15 are directed to a method for communicating with and controlling a video source, which is believed to be acceptable under 35 U.S.C. 101.

Claims 1-5, 7, 10 and 14-15 have been rejected under 35 U.S.C. 102(e) as being anticipated by St. Pierre (US 6,853,841). Applicant respectfully traverses the rejections as follows.

As claims 1-5, 7, 10 and 14-15 have been cancelled the rejections thereof are rendered moot. However, Applicant will discuss the rejections below and how they relate to new claims 32-39.

St. Pierre teaches a method for overcoming difficulties in controlling new devices that are added to a network. In columns 8, 9 and 10 relied upon by the Examiner, St. Pierre describes the use of a data header with various fields. New claim 32 involves the use of three different header types for different reasons, which efficiently uses an underlying protocol to provide a reliable transmission of video data. St. Pierre does not contemplate using different types of headers as recited in claim 32 and in fact appears to only use a single header type with different header fields. It is believed that claim 32 clarifies the nature of how such different header types are used. It is therefore believed that St. Pierre does not teach utilizing multiple header types as recited in claim 32 and thus cannot anticipate.

Claim 16 has been rejected under 35 U.S.C. 102(e) as being anticipated by Gubbi (US 7,093,015). Applicant respectfully traverses the rejection as follows.

As claim 16 has also been cancelled, the rejection thereof is rendered moot. However, Applicant will discuss the rejection below as it relates to new claims 17 to 31.

New claims 17, 24 and 31 are directed to communicating video data between a sender and a receiver over a communication channel which, in part, requires identifying each image packet with an identifier number and an address. In this way, when a missing packet is discovered, the receiver can prepare a request that provides the address so that the sender can re-send the missing packet and locate it directly without having to perform a search to find where the packet is in the video.

In rejecting claim 16, the Examiner relies on column 17, lines 5-7 regarding the use of an identifier and column 22, lines 32-37 regarding examining the identifier number, and column 21, lines 27-31 for preparing a re-send image packet. Firstly, in the passage in column 17, each packet identifies a current time slot, however, this does not specify that whether the time slot

relates to the transmission time or where the packet fits in a video. In fact, Gubbi does not appear to mention sending video as a series of image packets and appears to be referring to time stamps, certainly not a unique address as is recited in new claims 17, 24 and 31. Secondly, regarding the passage in column 22, this does not appear to actually teach examining the packets, let alone to identify missing packets as recited in claims 17, 24 and 31. Finally, regarding the passage in claim 21, although a frame request is mentioned, the nature of the request is not described and certainly does not teach including a missing packet address so that the sender can directly obtain the image packet without searching. Gubbi is entirely silent in that regard.

Accordingly, Gubbi does not teach what is recited in claims 17, 24 and 31 and thus cannot anticipate claims 17-31.

Claims 6 and 12 have been rejected under 35 U.S.C. 103(a) as being unpatentable over St. Pierre in view of Buchholz (US 5,440,545). Claims 6 and 12 have been cancelled thus these rejections are moot. However, Applicant notes that Buchholz does not teach what is believed to have been shown is missing from St. Pierre, as it relates to new claims 32-39 and thus claims 32-39 are believed to be patentably distinguished in view of any combination of these references.

Claims 8, 9, 11 and 13 have been rejected under 35 U.S.C. 103(a) as being unpatentable over St. Pierre in view of Gubbi. Claims 8, 9, 11 and 13 have been cancelled thus these rejections are moot. However, Applicant notes that even if combined, St. Pierre and Gubbi do not teach the use of multiple header types in communicating and controlling a video source. Therefore, new claims 32-39 are also believed to be distinguished over St. Pierre in view of Gubbi.

Summary

In view of the foregoing, Applicant believes that claims 17-39 are clearly and patentably distinguished over the cited references and, as such, are in condition for allowance.

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Applicant requests early reconsideration and allowance of the present application.

Respectfully submitted,



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